



PATENT
ATTORNEY DOCKET NO.: 041514-5117

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shigeru WATANABE) Confirmation No.: 2969
Application No.: 09/835,097) Group Art Unit: 2643
Filed: April 16, 2001) Examiner: Barnie, Rexford N.
For: SPEAKER APPARATUS) **Mail Stop Amendment**

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RECEIVED
OCT 08 2004
Technology Center 2600

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated August 2, 2004 (Paper No. 8)..
2. Additional papers enclosed:
 - ☐ Submission of Replacement Drawing Sheets
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 - ☒ Copy of USPTO-stamped postcard dated September 10, 2001

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

Extension of time fee due with this request: \$_____.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	17	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$88 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of _____ extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 5, 2004

By:



Paul A. Fournier

Reg. No. 41,023

CUSTOMER NO. 09629**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Tel. 202-739-3000

Fax 202-739-3001



RECEIVED
OCT 08 2004
Technology Center 2600

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Shigeru WATANABE
Application No.: 09/835,097
Filed: April 16, 2001
For: SPEAKER APPARATUS

ATTN: BOX MISSING PARTS

1. Check in the amount of \$880.00
2. Response To Notice To File Missing Parts
3. Copy Of Notice To File Missing Parts
4. Declaration and Power of Attorney
5. Recordation Form Cover Sheet
6. Assignment
7. Formal Drawings – 2 sheets containing 3 figures
8. Claim for Priority
9. Certified copy of Japanese Patent Application No. 2000-238091
filed August 7, 2000

Dated: September 10, 2001
Attorney Docket No.: 041514-5117
JGS/Imp



16

DOCKETED
By RSB Date 9-12-01